

REMARKS

I. Status of the Claims

Claims 1-21 are pending in this application. Claim 4 is amended in this response. Claims 1-21 remain for consideration.

Claims 14-21 have been allowed in the Office Action of December 2, 2005. Claims 1-13 have been rejected on the basis of 35 U.S.C. 112, 2nd paragraph.

II. Response to the Section 112 Rejection

Examiner has rejected claims 1-13 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, specifically due to the unclear language of claim 4. Claim 4 has now been amended to overcome Examiner's indefiniteness rejection.

Support for this amendment is found in the application at page 10, lines 20-27, which teaches that the untreated particulate inorganic solid or the treated particulate inorganic solid may be further treated with polyalcohols, alkanolamines, inorganic phosphates, and mixtures thereof. The treatment may be either performed to: (1) the (untreated) particulate inorganic solid prior to addition of the organophosphinic compound; or (2) the treated particulate inorganic solid subsequent to addition of the organophosphinic compound.

In view of the foregoing, Applicants respectfully ask the Examiner to reconsider and withdraw the rejection and pass the case to issue. Applicants invite the Examiner to telephone their attorney at (610) 359-3480 if he believes that a discussion of the application might be helpful.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 31, 2006.

Kevin M. Carroll

Name of person signing

Kevin M. Carroll
Signature

Respectfully submitted,

Modasser El-Shoubary et al.

By: Kevin M. Carroll
Kevin M. Carroll
Reg. No. 44,596
Attorney for Applicants
Lyondell Chemical Company
3801 West Chester Pike
Newtown Square, PA 19073
Phone: (610) 359-3480
January 31, 2006
CUSTOMER NUMBER 24114